

United States Bankruptcy Court
Western District of New York

In re:
JOSEPH T. CUNNINGHAM
KARI P. CUNNINGHAM
Debtors

Case No. 21-10900-CLB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0209-1
Date Rcvd: Aug 31, 2021

User: admin
Form ID: 3091

Page 1 of 3
Total Noticed: 43

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 02, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ JOSEPH T. CUNNINGHAM, KARI P. CUNNINGHAM, 5982 Noble Road, Ripley, NY 14775-9514
tr	+ Julie Philippi, Chapter 13 Trustee, 170 Franklin St., Suite 600, Buffalo, NY 14202-2412
21877205	+ Community Bank Na, Attn: Bankruptcy Dept, Po Box 509, Canton, NY 13617-0509
21877207	+ Fedloan, Attn: Bankruptcy, Po Box 60610, Harrisburg, PA 17106-0610
21877209	+ Holiday Financial Serv, 715 W 38th St, Erie, PA 16508-2626
21877217	+ SOUTHERN CHAUTAUQUA FCU, 168 East Fairmount Ave., LAKEWOOD, NY 14750-1942
21877216	+ SOUTHERN CHAUTAUQUA FCU, 168 FAIRMOUNT AVE., Lakewood, NY 14750-1942
21877218	+ Southern Chautauqua Fe, 310 Fairmont Ave, Jamestown, NY 14701-2846
21877226	+ Tendto Credit Union, 1129 State St, Erie, PA 16501-1911
21877227	+ Trac/CBCD/Citicorp, Citicorp Credit/Centralized Bankruptcy, Po Box 6497, Sioux Falls, SD 57117-6497
21877229	+ USDOE/GLELSI, Attn: Bankruptcy, Po Box 7860, Madison, WI 53707-7860
21877230	+ Wells Fargo/Furniture Marketing Group, Attn: Bankruptcy, Po Box 10438 Mac F8235-02f, Des Moines, IA 50306-0438

TOTAL: 12

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	Email/Text: humblelawecf@yahoo.com	Aug 31 2021 18:22:00	Scott F. Humble, 7 Jackson Ave., W.E., Jamestown, NY 14701-2408
cr	+ EDI: RMSC.COM	Aug 31 2021 22:43:00	Synchrony Bank c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
21877194	Email/Text: ebn@21stmortgage.com	Aug 31 2021 18:22:00	21st Mortgage Corp, Attn: Bankruptcy, 620 Market Street, Knoxville, TN 37902
21877195	+ EDI: GMACFS.COM	Aug 31 2021 22:43:00	Ally Financial, Attn: Bankruptcy, Po Box 380901, Bloomington, MN 55438-0901
21877196	Email/Text: bankruptcy@bbandt.com	Aug 31 2021 18:22:00	BB&T, Attn: Bankruptcy, Po Box 1847, Wilson, NC 27894
21877197	+ EDI: CAPITALONE.COM	Aug 31 2021 22:43:00	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
21877198	+ EDI: CAPITALONE.COM	Aug 31 2021 22:43:00	Capital One, Po Box 31293, Salt Lake City, UT 84131-0293
21877199	+ EDI: CAPITALONE.COM	Aug 31 2021 22:43:00	Capital One/boscovs, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
21877200	+ EDI: CITICORP.COM	Aug 31 2021 22:43:00	Cbna, Attn: Centralized Bankruptcy, Po Box 790034, St. Louis, MO 63179-0034
21877201	+ EDI: CITICORP.COM	Aug 31 2021 22:43:00	Citibank/Best Buy, Citicorp Credit Srvs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
21877202	+ EDI: CITICORP.COM	Aug 31 2021 22:43:00	Citibank/The Home Depot, Citicorp Credit

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Date Rcvd: Aug 31, 2021

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Page 2 of 3
Total Noticed: 43

			Srvs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
21877203	+ EDI: WFNNB.COM	Aug 31 2021 22:43:00	Comenity Bank, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
21877204	+ EDI: WFNNB.COM	Aug 31 2021 22:43:00	Comenity Bank/Victoria Secret, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
21877206	+ EDI: DISCOVER.COM	Aug 31 2021 22:43:00	Discover Financial, Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
21877208	+ Email/Text: aurso@firl.com	Aug 31 2021 18:22:00	Freedom Road Financial, Attn: Bankruptcy, Po Box 4597, Oak Brook, IL 60522-4597
21877210	+ Email/Text: shenris@innerlakesfcu.org	Aug 31 2021 18:22:00	Inner Lakes Fcu, 19-21 E Main St, Westfield, NY 14787-1399
21877211	+ Email/Text: shenris@innerlakesfcu.org	Aug 31 2021 18:22:00	Inner Lakes Fcu, 19-21 East Main Street, Westfield, NY 14787-1399
21877212	Email/Text: camanagement@mtb.com	Aug 31 2021 18:22:00	M&T Credit Services, Attn: Bankruptcy, Po Box 844, Buffalo, NY 14240
21877213	+ Email/Text: cuoffice@newelchfcu.com	Aug 31 2021 18:22:00	North East Welch Fcu, 115 Clay St, North East, PA 16428-1537
21877214	+ Email/Text: angela.abreu@northwest.com	Aug 31 2021 18:22:00	Northwest Bank, Attn: Bankruptcy, Po Box 128, Warren, PA 16365-0128
21877215	+ EDI: AGFINANCE.COM	Aug 31 2021 22:43:00	OneMain Financial, Attn: Bankruptcy, Po Box 3251, Evansville, IN 47731-3251
21877469	+ EDI: RECOVERYCORP.COM	Aug 31 2021 22:43:00	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
21877219	+ EDI: RMSC.COM	Aug 31 2021 22:43:00	Synco/Car Care Summi, Attn: Bankruptcy, P.O. Box 965060, Orlando, FL 32896-5060
21877220	+ EDI: RMSC.COM	Aug 31 2021 22:43:00	Synco/PLCC, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
21877221	+ EDI: RMSC.COM	Aug 31 2021 22:43:00	Synco/walmart, Po Box 965024, Orlando, FL 32896-5024
21877222	+ EDI: RMSC.COM	Aug 31 2021 22:43:00	Synchrony Bank/ HH Gregg, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
21877223	+ EDI: RMSC.COM	Aug 31 2021 22:43:00	Synchrony Bank/Care Credit, Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
21877224	+ EDI: RMSC.COM	Aug 31 2021 22:43:00	Synchrony Bank/Sams, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
21877225	+ EDI: RMSC.COM	Aug 31 2021 22:43:00	Synchrony Bank/Yamaha, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
21877228	+ Email/Text: jsprentz@urc.com	Aug 31 2021 18:22:00	United Refining, Attn: Bankruptcy, 15 Bradley St., Warren, PA 16365-3299
21877231	+ EDI: CAPITALONE.COM	Aug 31 2021 22:43:00	World's Foremost Bank, 4800 Nw 1st Street, Suite 300, Lincoln, NE 68521-4463

TOTAL: 31

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 02, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 31, 2021 at the address(es) listed below:

Name	Email Address
Julie Philippi	ecfbuffalo13@gmail.com jphilippi13@ecf.epiqsystems.com
Scott F. Humble	on behalf of Joint Debtor KARI P. CUNNINGHAM humblelawecf@yahoo.com humblelawecf@yahoo.com
Scott F. Humble	on behalf of Debtor JOSEPH T. CUNNINGHAM humblelawecf@yahoo.com humblelawecf@yahoo.com

TOTAL: 3

Information to identify the case:		
Debtor 1	JOSEPH T. CUNNINGHAM	Social Security number or ITIN: xxx-xx-0835
	First Name Middle Name Last Name	
Debtor 2 (Spouse, if filing)	KARI P. CUNNINGHAM	Social Security number or ITIN: xxx-xx-2143
	First Name Middle Name Last Name	
United States Bankruptcy Court Western District of New York		Date case filed for chapter 13 August 26, 2021
Case number: 1-21-10900-CLB		

Official Form 309I

Notice of Chapter 13 Bankruptcy Case

10/2020

For the debtors listed above, a case has been filed under chapter 13 of the Bankruptcy Code. An order for relief has been entered. This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors, the debtors' property, and certain codebtors. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

Confirmation of a chapter 13 plan may result in a discharge. Creditors who assert that the debtors are not entitled to a discharge under 11 U.S.C. § 1328(f) must file a motion objecting to discharge in the bankruptcy clerk's office within the deadline specified in this notice. Creditors who want to have their debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office by the same deadline. (See line 13 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at <https://pacer.uscourts.gov>).

The staff of the bankruptcy clerk's office cannot give legal advice.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

	About Debtor 1:	About Debtor 2:
1. Debtor's full name	JOSEPH T. CUNNINGHAM	KARI P. CUNNINGHAM
2. All other names used in the last 8 years		
3. Address	5982 Noble Road Ripley, NY 14775	5982 Noble Road Ripley, NY 14775
4. Debtor's attorney Name and address	Scott F. Humble 7 Jackson Ave., W.E. Jamestown, NY 14701-2408	Contact phone (716) 664-2889
5. Bankruptcy trustee Name and address	Julie Philippi Chapter 13 Trustee 170 Franklin St. Suite 600 Buffalo, NY 14202	Contact phone 716-854-5636
6. Bankruptcy clerk's office Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at https://pacer.uscourts.gov .	Robert H. Jackson U.S. Courthouse 2 Niagara Square Buffalo, NY 14202 Website: http://www.nywb.uscourts.gov	Hours open: 8:00 a.m. to 4:30 p.m. Monday – Friday Contact phone (716) 362-3200 Date: August 31, 2021

For more information, see page 2 >

7. Meeting of creditors

Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.

October 7, 2021 at 09:30 AM

***FOR 341 MEETING, CALL: 877-901-9778;
PASSCODE: 1727112**

Debtors must provide picture identification and proof of social security number to the trustee at this meeting of creditors. Failure to do so may result in your case being dismissed.

The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.

Location:

**DUE TO COVID19 THE
MEETING OF CREDITORS
WILL BE HELD
TELEPHONICALLY UNTIL
FURTHER NOTICE.**

**PLEASE CHECK THE CASE
DOCKET FOR CURRENT
INFORMATION.**

8. Deadlines

The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.

Deadline to file a complaint to challenge dischargeability of certain debts:

You must file:

- a motion if you assert that the debtors are not entitled to receive a discharge under U.S.C. § 1328(f) or
- a complaint if you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4).

Filing deadline: December 6, 2021

Deadline for all creditors to file a proof of claim (except governmental units):

Filing deadline: November 4, 2021

Deadline for governmental units to file a proof of claim:

Filing deadline: February 22, 2022

Deadlines for filing proof of claim:

A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at www.uscourts.gov or any bankruptcy clerk's office. If you do not file a proof of claim by the deadline, you might not be paid on your claim. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed.

Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.

Objections to confirmation may be made in accordance with FRBP Rule 3015(f) or as otherwise permitted by the Court.

Deadline to object to exemptions:

The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.

Filing deadline: 30 days after the *conclusion* of the meeting of creditors

9. Filing of plan

The debtor has not filed a plan as of this date. The confirmation hearing will be scheduled for a date and time to be designated at the conclusion of the 341 meeting.

10. Creditors with a foreign address

If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadline in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.

11. Filing a chapter 13 bankruptcy case

Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts according to a plan. A plan is not effective unless the court confirms it. You may object to confirmation of the plan and appear at the confirmation hearing. A copy of the plan, if not enclosed, will be sent to you later, and if the confirmation hearing is not indicated on this notice, you will be sent notice of the confirmation hearing. The debtor will remain in possession of the property and may continue to operate the business, if any, unless the court orders otherwise.

12. Exempt property

The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors, even if the case is converted to chapter 7. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <https://pacer.uscourts.gov>. If you believe that the law does not authorize an exemption that debtors claimed, you may file an objection by the deadline.

13. Discharge of debts

Confirmation of a chapter 13 plan may result in a discharge of debts, which may include all or part of a debt. However, unless the court orders otherwise, the debts will not be discharged until all payments under the plan are made. A discharge means that creditors may never try to collect the debt from the debtors personally except as provided in the plan. If you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4), you must file a complaint and pay the filing fee in the bankruptcy clerk's office by the deadline. If you believe that the debtors are not entitled to a discharge of any of their debts under 11 U.S.C. § 1328(f), you must file a motion.